

1 relayed to the voter as to why they're having to do a
2 provisional ID -- or provisional ballot?

3 A. Well, that would be kind of confusing because
4 if it doesn't -- if the photo ID doesn't match, I don't
5 know how you could cure a provisional ballot if you're
6 saying the photo don't match. What is the voter
7 registrar going to do with that at that time?

8 Q. Well, if somebody shows up with an ID that
9 just does not match --

10 A. Yeah.

11 Q. -- in a period, you look at it, and this is
12 not the same person.

13 A. So what would you do with it?

14 Q. Do you allow that person to vote a provisional
15 ballot, or what do you do with them?

16 A. I don't know. I've never ran across that.
17 But, I mean, I really don't know.

18 Q. Okay. Would they do a substantially-similar
19 name affidavit?

20 A. That has nothing to do with the name. You're
21 talking about looking at somebody and seeing that's not
22 you, so I don't know.

23 Q. Okay. Would that person have the opportunity
24 to walk away if they don't want to vote at that point,
25 if someone confronts them and says, "Well, you know,

1 this doesn't appear to match"?

2 A. Yeah.

3 Q. Would they be arrested there on the spot?

4 A. I don't know.

5 Q. All right. We'll move on.

6 A. I really don't know.

7 Q. Okay.

8 A. So you want to talk about the other

9 provisional ballots?

10 Q. Yes. We're into the runoff election; correct?

11 A. Right.

12 Q. All right. So we have provisional -- how many

13 provisional ballots?

14 A. We had 11.

15 Q. And how many of those related to --

16 A. I think it's three.

17 Q. Related to --

18 A. Photo ID.

19 Q. Right.

20 A. And these two are "no ID presented," "failed

21 to present ID," one, twice. Two of them are fail to

22 present ID, and one of them is just does not have

23 acceptable ID. Whatever that means.

24 Q. Okay. Were any of those cured?

25 A. No, sir.

1 Q. Okay. And was one of those the lady you were
2 talking about?

3 A. Yes, sir, Ms. Allen.

4 Q. And she came and talked to you personally?

5 A. No, I spoke to her over the phone.

6 Q. Okay. And she related that she was aware of
7 the cure process; correct?

8 A. Yes.

9 Q. Just she got confused about the timing of it;
10 correct?

11 A. Which day, yes.

12 Q. Okay. Did she have any complaints with the
13 information she was provided at the poll when they
14 allowed her to vote provisionally?

15 A. Well, yes, because she was -- her complaint
16 was when was the actual six days, and when did the six
17 days begin, and when was the last day to cure.

18 So I don't know what the mix-up was as
19 far as the six days, six days from when, and when was
20 her sixth day to cure.

21 Q. Does it indicate whether she voted early or on
22 the day of the actual election?

23 A. This was for the -- let me see. I can look at
24 it and see. It says six days to cure. So I don't know
25 what date.

1 Q. It doesn't indicate whether it was an early
2 vote, or on election day?

3 A. No. But the six days they should have from
4 the date of the election.

5 Q. Okay. When a person votes with a provisional
6 ballot, is there a procedure that the poll worker is
7 required to go through in terms of telling them what the
8 provisional ballot is, and what they have to do to cure
9 it?

10 A. Right. And they have a form they put them on.
11 They have a provisional ballot list they put them on.
12 They also have a notice of provisional ballot which
13 explains to the voter, you know, why they are a
14 provisional ballot.

15 It should have had a date on there, the
16 date that she has to cure it by. She should have been
17 given that notice as well.

18 Q. Okay.

19 A. It should have had the date for her to come in
20 by.

21 Q. And that part of that notice, it tells when to
22 come in and where to come in; correct?

23 A. Right.

24 Q. And what was her name, Addie?

25 A. Addie Allen.

1 Q. Did Addie Allen indicate to you that she had
2 been provided that written information?

3 A. She said she was provided that information,
4 but I never did see what she was looking at.

5 Q. Okay. So she didn't complain that somebody at
6 the polling station had done something wrong, she just
7 misunderstood something about the information?

8 A. Well, according to Ms. Allen, you know, from
9 the date she gave me, it would have been the day after
10 the date to cure.

11 But like I said, without me seeing what
12 she was given, I can't confirm or deny that she was
13 given the correct information.

14 Q. Okay. And the other two individuals that
15 voted provisionally, you had no contact with?

16 A. No contact.

17 Q. Okay. So have we covered all the elections
18 that have occurred after June of 2013?

19 A. Yes, sir.

20 Q. Okay. And then there's another election
21 coming up here shortly; correct?

22 A. Early voting starts Monday.

23 Q. Okay. Based upon the five elections in
24 Jefferson -- or four. Based upon the five elections
25 that's occurred in Jefferson County after S.B. 14 has

1 become implemented or became implemented, do you, based
2 upon that experience, have any reason to think S.B. 14
3 has prevented people from voting in Jefferson County?

4 A. I don't think it's prevented people from
5 voting.

6 Q. Do you see anything in the numbers of those
7 elections that would indicate to you that there has been
8 a decrease in voting in Jefferson County after the
9 implementation of S.B. 14?

10 A. No, sir.

11 Q. Has anyone complained to you that the actual
12 process of voting has been slowed down because of the
13 requirements of S.B. 14?

14 A. Well, the election workers do complain it
15 takes them longer to process voters with the driver's
16 license than with the voter registration cards.

17 Q. Has there been any complaints from the voters,
18 to your knowledge, that it's taking them too long to
19 vote because of the S.B. 14 requirements?

20 A. No, sir. I've not gotten any complaints from
21 the voters.

22 Q. Okay. To your knowledge, has anyone in your
23 office gotten any complaints from your voters that it's
24 taking too long to vote because of the S.B. 14
25 identification requirements?

1 A. No, sir, not to my knowledge.

2 Q. Okay. And you mentioned some of the poll
3 workers were complaining it was taking longer. Did any
4 of them -- did any of those complaints relate to voters
5 telling the poll workers -- or complaining to the poll
6 workers that it was taking too long for the voters to
7 vote, or was it the poll workers complaining that they
8 were having to do additional work?

9 A. Well, I don't think it was complaining because
10 they have to do additional work. I think it takes them
11 longer to process the voters with the driver's license,
12 because not all the driver's licenses will scan in our
13 system. Only the new driver's licenses will scan. The
14 old ones won't.

15 Whereas, with the voter registration
16 cards, all the voter registration cards will scan. So
17 it takes much -- it's a much quicker process to scan the
18 cards. I don't know why the old licenses won't scan.

19 So it slows down the process when they
20 have to type it in versus just pop and scan.

21 Q. Have any of the poll workers related that the
22 voters are complaining about the time it took to vote?

23 A. No, sir, I guess not.

24 Q. Okay. Does your office send out the voter
25 registration cards?

1 A. No, sir, we don't.

2 Q. Who does?

3 A. The voter registrar, tax assessor/collector.

4 Q. Do you know what information is printed on the
5 voter registration cards?

6 A. Like?

7 Q. That are sent out.

8 A. Well, like name, address.

9 Q. Do you know whether or not on the current
10 voter registration card, whether or not it contains on
11 the back of the card the S.B. 14 photo ID requirements?

12 A. No, sir, I don't know that.

13 Q. That's not something your office deals with?

14 A. No, sir.

15 Q. You mentioned that you have two offices?

16 A. Yes, sir.

17 Q. Okay. Where are the -- both offices?

18 A. Here is the main location, and Port Arthur is
19 the substation.

20 Q. Okay. What are the office hours of your main
21 office?

22 A. We're open 8:00 to 4:30 to the public. We're
23 open until 5:00 to answer the phone, until 5:00, but we
24 close to the public at 4:30.

25 Q. Okay.

1 A. Because we still have to balance. Same thing
2 at the sub office.

3 Q. Okay.

4 A. Monday through Friday.

5 Q. Okay. From 8:00 to 4:30?

6 A. Yes.

7 Q. And are you ever open on weekends?

8 A. No, sir.

9 Q. Ever open any late nights for any reason?

10 A. Only during the election time.

11 Q. Okay. And is that open to the public, or is
12 that just --

13 A. No, sir.

14 Q. That's just the office being working --
15 working not open to the public?

16 A. That's correct.

17 Q. All right. Does the county clerk's office
18 issue now any type of photo ID?

19 A. No, sir, we don't.

20 Q. For your employees, or anything else?

21 A. No, sir. That's done through the human
22 resource department.

23 Q. Okay. In dealing with the public, is there
24 ever any times that your office requires public persons
25 who come in, or public that comes in, for services to

1 show ID?

2 A. To show an ID?

3 Q. Right.

4 A. Well, you have to show ID, like, to get a
5 marriage license, and for certain documentation that's
6 not public to everyone.

7 Q. Okay. So if somebody comes in and wants to
8 obtain those documents, then they have to have some
9 proof of who they are; correct?

10 A. Absolutely.

11 Q. What type of ID, generally, does your office
12 require for that situation?

13 A. A photo ID.

14 Q. Any particular type of photo IDs?

15 A. No, just a photo ID.

16 Q. What about when somebody writes a check, or
17 something of that nature, do you require an ID?

18 A. Yes, sir.

19 Q. What type of ID?

20 A. Normally, a driver's license.

21 Q. Or if they pay by credit card, do you require
22 an ID?

23 A. Yes, sir.

24 Q. Okay. Do you find many customers complaining
25 about the fact that you request them to show an ID when

1 they obtain these services?

2 A. No, sir.

3 Q. Do you ever recall someone complaining it was
4 improper to ask them to show an ID in order to obtain
5 these services?

6 A. No, sir.

7 Q. Why do you think that is?

8 A. It's protocol.

9 Q. Probably because people expect to show IDs;
10 correct?

11 A. Yes, sir.

12 Q. You're inside the metal detectors inside this
13 building; correct?

14 A. Yes, sir.

15 Q. When people are coming into this building, are
16 they required to show photo ID?

17 A. No, sir.

18 Q. You just go through the metal detector?

19 A. That's correct.

20 Q. Okay. Whose idea was it to send out with the
21 tax -- property tax statement, I assume?

22 A. Right.

23 Q. Whose idea was it to send out, with property
24 tax statements, the S.B. 14 information?

25 A. It was mine.

1 Q. Why did you do that?

2 A. Because it was the cheapest way I could think
3 to reach all the people in Jefferson County.

4 Q. Okay. And do you think that was effective?

5 A. I hope so.

6 Q. Okay. Do you think that the efforts of
7 Jefferson County, in general, have been successful on
8 educating your public, your voting public about the
9 requirement of S.B. 14?

10 A. I think so.

11 Q. Do you have occasion on a regular basis to
12 meet with people from the Secretary of State's office
13 with respect to elections?

14 A. Probably once a year when we go to the
15 election law seminar.

16 Q. And is that held in Austin?

17 A. Yes.

18 Q. What's the purpose of that seminar?

19 A. It's just to refresh our education on the
20 rules and guidelines for elections, and especially
21 during the legislative year, updates.

22 Q. That helps you to get to know the people in
23 that office and bounce ideas back and forth?

24 A. Right.

25 Q. Do you find you have a good working

1 relationship --

2 A. Yes.

3 Q. -- with the Secretary of State's election

4 division?

5 A. Yes.

6 Q. Do you think that they try to be helpful and

7 responsive to your needs?

8 A. Yes.

9 Q. Do you think they -- it's their intent to try

10 to get as many people to vote as possible in the state?

11 A. Yes.

12 MR. GEAR: Objection; calls for

13 speculation. Form.

14 Q. (By Mr. Keister) They do their best to work

15 with the counties and assist the counties in getting the

16 voters to vote?

17 A. Yes.

18 Q. Okay. Lamar University is within Jefferson

19 County; correct?

20 A. That's correct.

21 Q. Are there any other universities here?

22 A. No. We have Kaplan University, it's like a

23 college.

24 Q. Do you have contact with the university

25 administrators with respect to voting issues as

1 elections come up?

2 A. I don't directly, but one of my commissioners
3 works close with them.

4 Q. Have you heard any complaints of Lamar
5 University, or from the students of Lamar University
6 that they haven't been able to vote because of the
7 S.B. 14 requirements?

8 A. I have not.

9 Q. Okay. On Exhibit 1, which was the various
10 hypotheticals with respect to different scenarios of
11 whether or not names match -- whether or not the name on
12 the poll book matches the driver's license numbers, can
13 you give an accurate answer to any of those examples as
14 to whether or not they would or would not be similar
15 names, without actually seeing an ID itself and matching
16 it to the poll book?

17 A. No, I could not.

18 Q. Okay. Just looking at the words printed on
19 the paper is not the same as looking at an ID and
20 looking at the person that presented it; correct?

21 A. That's correct.

22 Q. Okay. With respect to the cost of documents
23 for an EIC, election identification certificate, if a
24 person is in possession of a certified copy of their
25 birth certificate and they have had it for years, and

1 they go down to get an EIC, that's not going to cost
2 them any money; correct?

3 A. Well, it should not, but I don't make that
4 call for DPS. I would assume they should be able to use
5 that.

6 Q. Right. Just because your office, or any other
7 office charges a fee for a document, a replacement
8 document, doesn't mean everybody that goes to get an EIC
9 has to pay for that document; correct? In other words,
10 some people have those documents already; correct?

11 A. Yes, sir.

12 Q. All right. And that's not an uncommon
13 situation for people to have a copy of their birth
14 certificate; correct?

15 MR. GEAR: Objection; form. Calls for
16 speculation.

17 A. Yes, sir.

18 Q. (By Mr. Gear) Do you have a copy of your
19 birth certificate?

20 A. Yes, sir, I do.

21 Q. Do parents often keep copies of their
22 children's birth certificates?

23 A. Yes, sir.

24 Q. So if a child doesn't -- if an adult doesn't
25 have his birth certificate, is there a chance they could